

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Leroy Jacobs, individually and on behalf of all
others similarly situated,

Plaintiff,

- against -

Whole Foods Market Group, Inc.,

Defendant

1:22-cv-00002

The Parties submit this Report of Parties' Planning Meeting.

1. Meeting

Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on March 31, 2022, through Zoom and was attended by: Spencer Sheehan and Brian Blackman.

2. Pretrial Schedule

The parties jointly propose to the court the following discovery plan:

Plaintiff to amend pleadings by 8/1/2022 or 15 days after order entered on Defendant's Motion to Dismiss Plaintiff's Complaint (Dkt. No. 11), whichever is later.

Plaintiff to add any additional parties by 8/1/2022 or 15 days after order entered on Defendant's Motion to Dismiss Plaintiff's Complaint (Dkt. No. 11), whichever is later.

Defendant to amend pleadings by 9/1/2022 or 45 days after order entered on Defendant's Motion to Dismiss Plaintiff's Complaint (Dkt. No. 11), which is later.

Defendant to add any additional parties by 9/1/2022 or 45 days after order entered on Defendant's Motion to Dismiss Plaintiff's Complaint (Dkt. No. 11), which is later.

3. Discovery

Discovery will be needed on the following subjects:

The subjects of Plaintiff's discovery may include, among other subjects, the marketing and labeling of the Product; Defendant's studies of consumer interpretation of the labels; and Defendant's pricing of the Products. Defendant believes discovery will also be needed on issues relating to the manufacture, packaging and distribution of the product. This discovery will likely prove more complex and time consuming because it will involve foreign entities since the product comes from Italy.

A. Proposed Schedule

Event	Deadline
Fed. R. Civ. P. 26(a)(1) disclosures:	6/27/2022
Deadline for Plaintiff to Oppose Defendant's Motion to Dismiss Plaintiff's Complaint (Dkt. No. 11):	6/22/2022
Deadline for Defendant to file Reply in support of Motion to Dismiss Plaintiff's Complaint (Dkt. No. 11):	7/13/2022
Deadline for Plaintiff to File Motion for Class Certification:	210 days after ruling on Defendant's Rule 12 motion to dismiss
Deadline to Complete Depositions of Plaintiff's Experts re Class Certification:	30 days after filing motion for class certification
Deadline for Opposition to Motion for Class Certification:	60 days after filing motion for class certification

Event	Deadline
Deadline to Complete Depositions of Defendant's Experts re Class Certification:	30 days after filing opposition to motion for class certification
Deadline for Plaintiff to File Reply in Support of Class Certification:	60 days after Defendant files opposition to motion for class certification
Class Certification Hearing:	Pursuant to Court's Schedule
Deadline to Complete Fact Discovery:	120 days after ruling on class certification
Last Day for Parties to Exchange Rule 26(a)(2) Initial Expert Disclosures on Merits:	150 days after ruling on class certification
Last Day for Parties to Exchange Rule 26(a)(2) Counter Expert Designations on Merits:	180 days after ruling on class certification
Last Day to Complete Expert Discovery:	210 days after ruling on class certification
Deadline to File Dispositive Motions:	30 days after completion of expert discovery
Pre-Trial Conference:	45 days after ruling on dispositive motions
Final Pretrial Order:	Drafted 21 days after Pre-Trial Conference and Filed 30 days after Pre-Trial Conference
Trial:	TBD, expected length is five to seven days with a jury trial on all matters so triable

4. Consent

The Parties do not consent unanimously to jurisdiction by the assigned Magistrate Judge.

Dated: May 23, 2022

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Respectfully submitted,

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